



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,339	08/24/2001	Densen Cao	5045.2	3615

7590

11/06/2002

Daniel P. McCarthy
PARSONS, BEHLE & LATIMER
201 South Main Street, Suite 1800
P.O. Box 45898
Salt Lake City, UT 84145-0898

EXAMINER

JACKSON JR, JEROME

ART UNIT

PAPER NUMBER

2815

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

09/939,1339

ahn

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

5

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Applicant's cancelation of claims 1-27 and submission of claims 28-54 is considered non-responsive because the new claims consist of different species similar to original claims 1-27. For example, claims 35-40 comprise different species as stated in the original restriction. Note also that new claims 29-34 depend on canceled claim 1. Obviously the intention was apparently to make them depend on claim 28. Nevertheless they would also comprise different species. Likewise claims 42-54 also comprise distinct species. Applicant must elect one distinct species under 35USC121. Claims 28 and 41 are generic. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

JEROME JACKSON
PRIMARY EXAMINER